

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- December 13, 1967

Appeal No. 9455 Flint O. DuPre et ux, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made seconded and unanimously carried, the following Order was entered at the meeting of the Board on December 13, 1967.

EFFECTIVE DATE OF ORDER - August 12, 1968

ORDERED:

That the appeal for variance from rear yard and lot occupancy requirements of the R-1-B District and from the provisions of Section 7401.11 to permit erection of private garage at 3811 Massachusetts Avenue, NW., lot 38, square 1816, be granted.

FINDINGS OF FACT:

- [1] The subject property is located in an R-1-B District.
- [2] The property is improved with a single-family dwelling.
- [3] It is proposed to erect a private garage 24 x 24 feet to serve the occupants of the existing dwelling. It will accommodate two automobiles.
- [4] The existing property has an area of 4,675 square feet and has a public alley at the rear.
- [5] The variance is necessary to permit the garage to be constructed in such a way as to permit turns from the alley into the garage.
- [6] No opposition to the granting of this appeal was registered at the public hearing. The record contains a letter from the Cathedral Heights-Cleveland Park Citizens' Association opposing the appeal "on the basis of safety to the other property owners located within the area who use the alley adjacent to the proposed garage and also because of the bad precedent such request, if allowed, may cause."

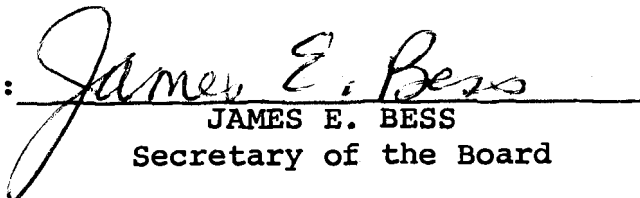
OPINION:

We are of the opinion that appellant has shown a hardship sufficient to support the requested variance from the Zoning Regulations. The proposed garage is a reasonable use of the property and the denial may result in peculiar and practical difficulties and undue hardship upon the owner.

We believe that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
JAMES E. BESS
Secretary of the Board